

040204

18334 U.S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.

H0819

## TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ☒ first named inventor, Jeffrey P. Erhardt, entitled METHOD AND APPARATUS FOR USING CLUSTERING METHOD TO ANALYZE SEMICONDUCTOR DEVICES, for a(n):

- ☒ Original Patent Application.  
☐ Continuing Application (prior application not abandoned):  
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)  
of prior application No: \_\_\_\_\_ Filed on: \_\_\_\_\_  
☐ A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

- ☒ Specification: 11 Total Pages. ☒ Drawing(s): 3 Total Sheets.  
☒ Oath or Declaration:  
☒ A Newly Executed Combined Declaration and Power of Attorney:  
☒ Signed: ☐ Unsigned. ☐ Partially Signed.  
☐ A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).  
Incorporation by Reference. The entire disclosure of prior application, from which a copy of the oath or  
declaration is supplied, is considered as being part of the disclosure of the accompanying application and  
is hereby incorporated herein by reference.  
☐ Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).  
☐ Power of Attorney. ☐ Associate Power of Attorney  
☐ Preliminary Amendment  
☐ Information Disclosure Statement and PTO-1449  
☒ Non-Publication Request  
☒ Application Data Sheet  
☐ Certified Copy of Priority Documents (if foreign priority is claimed).  
☐ Applicant claims SMALL ENTITY status  
☒ Recordation Form Cover Sheet (in duplicate) and Assignment  
☒ Duplicate copy of this form for processing Fee against the Deposit Account as authorized below  
☒ Return Receipt Postcard  
☐ Other:

Fee has been calculated as follows:

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	20	0	\$18.00	\$ 0.00
Independent Claims	4	1	\$86.00	\$ 86.00
Multiple Dependent Claims (if applicable)				\$0.00
Assignment Recording Fee				\$40.00
Basic Filing Fee				\$770.00
Total Filing Fee				\$ 896.00

- ☒ The Commissioner is authorized to charge **\$ 896.00** to Deposit Account **01-0365** pursuant to 37 CFR § 1.25. At any time during the pendency of this application, please charge any fees required or credit any overpayment to this Deposit Account.

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By: Vickie Ishimaru  
Vickie Ishimaru  
Express Mail Label No.: **EV 400781603 US**  
Date of Deposit: **April 2, 2004**

Respectfully submitted,

By: Mikio Ishimaru  
Mikio Ishimaru,  
Attorney of Record  
Reg. No. 27449

Date: April 2, 2004

Correspondence Address: **CUSTOMER NO. 22898**

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040204

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>		First Named Inventor	Jeffrey P. Erhardt et al.
		Title	METHOD AND APPARATUS FOR USING CLUSTERING METHOD TO ANALYZE SEMICONDUCTOR DEVICES
		Atty Docket Number	H0819

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

April 2, 2004

Date

*Mikio Ishimaru*

Signature

(408) 738-0592

Telephone number

Mikio Ishimaru

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 10800-PTO-9199 (1-800-786-9199) and select option 2.*